

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company (U338E); Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should not Impose Fines and Sanctions for the September 30, 2013 Incident at a Huntington Beach Underground Vault.

Investigation 15-11-006
(Filed November 5, 2015)

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline for completion of this proceeding until May 4, 2017.

1. Background

Pub. Util. Code § 1701.2(e) provides that adjudicatory cases, such as this one, shall be resolved within 12 months of initiation unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. November 4, 2016, is the 12-month statutory deadline for this proceeding.

On November 5, 2015, the Commission instituted this investigation into the operations and practices of Southern California Edison Company (SCE) and Order to Show Cause why the Commission should not impose fines and sanctions for the September 30, 2013 Incident at a Huntington Beach

Underground Vault. SCE filed its response to the preliminary scoping memo and Safety and Enforcement Division filed a reply. A Prehearing Conference was held on January 5, 2016. Since the prehearing conference, SCE and the Commission's Safety and Enforcement Division (SED) (collectively, the Parties) have been in active discovery and negotiation toward reaching a potential settlement.

The February 1, 2016 Assigned Commissioner's Scoping Memo and Ruling scheduled an evidentiary hearing to take place on August 1, 2016. On June 7, 2016, the Parties submitted a status update and motion to take the scheduled evidentiary hearings off calendar in anticipation of settlement. On June 7, 2016, the assigned Administrative Law Judge (ALJ) granted the motion and required the Parties to submit a joint settlement status statement by August 1, 2016. The Parties subsequently submitted settlement status updates on August 1, September 1, and October 24, 2016. Each update has confirmed that the Parties are making progress toward a settlement, and the October 24, 2016 report indicated that the Parties are finalizing a settlement agreement and planning to file a joint motion for adoption of the settlement agreement in the very near future.

To allow time for the Parties to finalize the settlement agreement and for the presiding officer's review of the related motion, a six-month extension of the statutory deadline until May 4, 2017, is necessary.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the 12-month deadline

set forth in Pub. Util. Code § 1701.2(e). Under the circumstances of this case, it is appropriate to waive the 30-day period for public review and comment.

3. Assignment of Proceeding

Liane M. Randolph is the assigned Commissioner and Kimberly H. Kim is the assigned ALJ and presiding officer in this proceeding.

Findings of Fact

1. The Commission instituted this investigation on November 5, 2015 and the 12-month statutory deadline is November 4, 2016.
2. Assuming the motion for adoption of the settlement agreement and all necessary supporting documents are filed and received by December 31, 2016, the presiding officer's decision is expected to be issued by February 1, 2017.
3. This proceeding cannot be completed by November 4, 2016.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.2(e), the statutory deadline should be extended to May 4, 2017.

IT IS ORDERED that:

1. The time for completion of this proceeding is extended until May 4, 2017.
2. The 30-day period for review and comment on this order is waived.

This order is effective today.

Dated _____, at San Francisco, California.